

RESOLUTION NO. 20230601-048

WHEREAS, the City is in an affordable housing crisis; and

WHEREAS, it would take nearly four people, or one person working 154 hours per week, making the minimum wage to afford a two-bedroom apartment in the Austin area, according to the National Low Income Housing Coalition 2022 Out of Reach Report; and

WHEREAS, people working in occupations such as food service, restaurants, home health care, janitorial services, security, and construction are most likely to find renting a one-bedroom home in the Austin area unaffordable, according to the report; and

WHEREAS, in June 2022, HousingWorks Austin reported that one-third of Austinites are cost-burdened by housing, with 15 percent of Austinites being extremely cost-burdened; and

WHEREAS, the City is currently behind the ten-year goal for new housing units under 80 percent of Median Family Income (MFI); and

WHEREAS, Section 25-2-511, last amended in 2014, prohibits more than six unrelated adults from occupying a dwelling unit regardless of its size, and prohibits more than four unrelated adults from occupying a single family or duplex site regardless of its size based on zoning; and

WHEREAS, federal guidelines advise occupancy standards should be based on dwelling unit size and/or bedroom count; and

WHEREAS, Chapter 4, Section 404 of the City’s Property Maintenance Code standards have enforceable occupancy limits based on square footage per person, which ensures health and safety and prevents overcrowding; and

WHEREAS, eliminating occupancy limits that are based on whether the individuals in the household are related is consistent with the City's goals to promote a diverse and equitable community, provide housing options that are affordable, and address the housing crisis; **NOW, THEREFORE**,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

The City Council initiates amendments to City Code Title 25 (*Land Development*) to eliminate the dwelling unit occupancy limit for residential uses.

BE IT FURTHER RESOLVED:

The City Council directs the City Manager to bring forward any additional staff recommendations that are identified during the amendment process, including but not limited to recommendations that can address any unintended consequences. Staff recommendations may also include strategies that are not zoning related, such as policies or practices to ensure appropriate code compliance.

BE IT FURTHER RESOLVED:

The City Council directs the City Manager to bring this code amendment to Council by October 19, 2023.

ADOPTED: June 1, 2023

ATTEST: 

Myrta Rios
City Clerk